

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, MARCH 13, 2013

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD  
MACOMB, MI 48042

PRESENT: JANET DUNN, SUPERVISOR  
MICHAEL D. KOEHS, CLERK  
KAREN GOODHUE, TREASURER  
DINO F. BUCCI, JR, TRUSTEE  
CLIFFORD W. FREITAS, TRUSTEE  
ROGER KRZEMINSKI, TRUSTEE  
NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel  
Jerome Schmeiser, Planning Consultant  
James VanTiflin, Township Engineer Director  
*(Additional attendance on file at the Clerk's Office)*

Supervisor DUNN called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

**ROLL CALL**

1. Clerk KOEHS called the roll and the Board of Trustees was present.

**APPROVAL OF THE AGENDA**

2. The agenda was reviewed and item 9-A was tabled to March 27, 2013, item was moved to the Consent agenda, and items 5-C-2, 5-D-5, 9-A and 25 were added.

**MOTION by BUCCI seconded by GOODHUE to approve the agenda as amended.**

**MOTION carried.**

**APPROVAL OF THE BILLS**

3. Both bill runs were reviewed and there were no additions, deletions or corrections.

**MOTION by KRZEMINSKI seconded by FREITAS to approve both bill runs as presented.**

**MOTION carried.**

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, MARCH 13, 2013

**APPROVAL OF THE PREVIOUS MEETING MINUTES**

4. The minutes of the previous meeting held on February 27, 2013 were reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by NEVERS seconded by BUCCI to approve the minutes of the meeting of February 27, 2013 as presented.**

**MOTION carried.**

5. **Consent Agenda Items:**

- A. Water and Sewer Department:
  - 1. Request to Attend Seminar.
  - 2. Request Authorization to Pay Advanced Underground Inspection LLC for Sanitary & Storm Maintenance.
  - 3. Request Authorization to Pay SLC Meter Service Inc for Meter Installation and Customer Installation.
- B. Facilities and Grounds Department:
  - 1. Awarding Overhead Door Maintenance Contract.
- C. Building Department:
  - 1. Request to Assume SEMBOIA Office.
  - 2. Request for Partial Site Plan Bond Release for Macomb Orthodontics Professional Building.
- D. Human Resources Department:
  - 1. Request for Medical Leave of Absence-Fire Department.
  - 2. Request for Medical Leave of Absence-Parks and Recreation Department.
  - 3. Request for a Family and Medical Leave of Absence-Parks and Recreation Department.
  - 4. Request for a Family and Medical Leave of Absence-Water and Sewer Department.
  - 5. Request to Amend the Job Descriptions for Building Department.
- E. Parks and Recreation Department:
  - 1. Request for Rec Trac Training for Employees.

Supervisor DUNN reviewed this matter and asked if any of the Board members wanted to remove any item from the Consent Agenda and place it for discussion on the regular agenda.

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, MARCH 13, 2013

**MOTION by KRZEMINSKI seconded by GOODHUE to approve the Consent Agenda as earlier amended.**

**MOTION carried.**

**6. Public Comments, Agenda Items Only**

**NONE**

**OLD BUSINESS**

7. Request to Approve Master Plan Update with Gilbert A. Zook, Certified General Appraiser. *(Tabled from February 27, 2013 meeting).*

Trustee BUCCI reviewed this matter and said that he had received the information he needed and was ready to proceed with this issue.

**MOTION by KRZEMINSKI seconded by GOODHUE to approve the Master Plan Update by Gilbert A. Zook, Certified General Appraiser.**

**MOTION carried.**

**NEW BUSINESS**

8. Request to Direct the Planning Commission to Review the Zoning Ordinance Pertaining to the Four Foot (4') Green Space Required for Parcels with Cross Access Agreements.

Clerk KOEHS reviewed this matter and recommended that the Board authorize the Planning Commission to proceed.

**MOTION by BUCCI seconded by KOEHS to direct the Planning Commission to review the Zoning Ordinance pertaining to the four foot (4') green space required for parcels with cross access agreements.**

**MOTION carried.**

9. Request to Attend Training; Michigan Township Association Township Governance Academy Sessions F0104, B-104 and F-105

Treasurer GOODHUE reviewed this matter requesting for herself and Supervisor DUNN to attend this training.

**MOTION by FREITAS seconded by KOEHS to Grant the request for Supervisor Dunn and Treasurer Goodhue to attend training at the Michigan Township**

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, MARCH 13, 2013

**Association Township Governance Academy Sessions to be held on April 11<sup>th</sup> & 12<sup>th</sup>, 2013 in the amount of Three Hundred Seventeen Dollars – (\$317.00) each for the Sessions and Sixty-Five Dollars – (\$65.00) each per night for two nights lodging, pursuant to our current policy.**

**MOTION carried.**

- 9-A Request for Rezoning; AG to R-1; 16860 26 Mile Road; Section 05, Located on southwest corner of 26 Mile Road and Luchtman Road. Frank Karam & Susanne Dimercurio, Petitioner. Parcel No. 08-05-200-010.

*This item was tabled to the March 27, 2013 meeting.*

**ENGINEERING**

10. Request to Attend Training; Water and Waste Water Asset Management.

Township Engineer James VanTiflin reviewed this matter and asked that permission be granted for him to attend this training.

**MOTION by KOEHS seconded by NEVERS to grant Jim Van Tiflin the Township Engineer permission to attend a Water and Waste Water Asset Management Training class in the amount of Seventy dollars, (\$70.00).**

**MOTION carried.**

11. Request to Adopt A Resolution Authorizing the Zander Drain Cleanout Project.

Township Engineer James VanTiflin reviewed this matter and advised the Board that this resolution needs to be adopted in order to proceed with this project.

**MOTION by KOEHS seconded by NEVERS to adopt the resolution for the Zander Drain Cleanout Project in the amount of One Hundred and Fifty Thousand Dollars- (\$150,000.00):**

**Resolution Authorizing the Filing of a Petition  
for Cleanout of the Zander Drain Located in  
Section 22 of Macomb Township, Macomb County, Michigan**

At a regular meeting of the Township Board for the Township of Macomb, Macomb County, Michigan, held in the Township Municipal Building, on March 13, 2013 at 7:00 P.M.,

Present: BUCCI, FREITAS, KRZEMINSKI, NEVERS, GOODHUE, KOEHS, DUNN

Absent: NONE

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, MARCH 13, 2013

The following Resolution was made by KOEHS and seconded by NEVERS:

Recitals:

1. The Zander Drain, located in Section 22 of Macomb Township, was established as an intra-county drain on January 31, 1930.
2. The Zander Drain is under the jurisdiction and control of the Macomb County Public Works Commissioner, pursuant to the Michigan Drain Code, Act 40 of Public Acts of 1956, as amended, Michigan Compiled Laws 280, 1 et seq.
3. The hydraulic drainage capacity of the Zander Drain has, over time, become restricted by the deposit of sediment and vegetated material and is in need of a cleanout for reasons of public health, convenience and welfare.
4. The route of the proposed drain cleanout commences at the outlet of the Buckingham Village Detention Basin, then proceeds south and east following the course of the existing drain a distance of approximately 2,719 lineal feet, to a point east of Shenandoah Drive, then south 520 feet.
5. The project consists of excavation of sediment and vegetated material from the channel, re-establishing the banks near Parkside Court and providing positive drainage throughout the project reach, in order to facilitate drainage in the Zander Drain Drainage District. A large quantity of the existing sediment was discharged from the Buckingham Detention Basin, which has been repaired and is no longer discharging significant amounts of sediment.
6. Improvement of the Zander Drain requires the filing of a petition with the Macomb County Public Works Commissioner by property owners in the drainage district or the Township Board of Macomb Township.
7. When necessary for the public health of a municipality, a petition may be signed solely by a municipality when authorized by its governing body, if the municipality will be liable to assessments at large for a percentage of the total amount assessed for the cost of the proposed work.
8. Cleanout of the Zander Drain is necessary and conducive to the public health, convenience and welfare of property owners in the drainage district and the public at large and Macomb Township will be liable to assessments at large for a percentage of the total amount assessed for the cost of the cleanout.

Whereas:

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, MARCH 13, 2013

The Township understands and agrees that it will be subject to assessments to pay the cost of the drain improvement described in the preamble to this Resolution along the route defined, after notice and public hearings, as provided by law.

The Supervisor and Clerk are authorized and directed to execute a Petition for cleanout of the Zander Drain pursuant to Section 191 of the Michigan Drain Code, Act 40 of Public Acts of 1956, as amended, Michigan Compiled Laws 280.191, as described in this Resolution and to file the Petition with the Macomb County Public Works Commissioner.

AYES: BUCCI, FREITAS, KRZEMINSKI, NEVERS, GOODHUE, KOEHS, DUNN

NAYS: NONE

**MOTION carried, resolution declared adopted.**

**YEAS: KOEHS, NEVERS, FREITAS, KRZEMINSKI, BUCCI, GOODHUE, DUNN**

**NAYS: NONE**

Request for the Township Supervisor and Clerk to sign a petition for the Macomb County Drain Commission to initiate the Zander Drain Cleanout Project.

**MOTION by KOEHS seconded by GOODHUE for the Township Supervisor and Clerk to sign the petition for the Macomb County Drain Commission to initiate the Zander Drain Cleanout Project.**

**MOTION carried.**

**BROADCAST MEDIA DEPARTMENT**

12. Authorization to Purchase a New Editing Computer.

Mr. James Gillis, Broadcast Media Manager, reviewed this matter and requested that permission be granted to purchase this upgraded equipment.

**MOTION by KRZEMINSKI seconded by GOODHUE to authorize the purchase of a new Editing Computer from Tech Depot for the Broadcast Media Department in the amount of Twelve Thousand Dollars – (\$12,000.00).**

**MOTION carried.**

**WATER AND SEWER**

13. Request to Purchase Work Uniforms.

Mr. Gerry Wangelin, Water and Sewer Superintendent, reviewed this matter and ask for authorization to purchase these uniforms in accordance with the collective bargaining unit requirements.

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, MARCH 13, 2013

**MOTION by GOODHUE seconded by NEVERS for the Water & Sewer Department to Purchase Work Uniforms from Contract Clothing in the amount of Six Thousand Two Hundred Ten Dollars and Fifty Cents (\$6,210.50).**

**MOTION carried.**

14. Request to Initiate the Recruitment Process to Hire Two (2) Utility Workers.

Mr. Gerry Wangelin, Water and Sewer Superintendent, reviewed this matter and asked that the process to fill these positions be initiated.

**MOTION by BUCCI seconded by KRZEMINSKI for the Human Resources Department to initiate the recruitment process to hire two (2) Full Time Utility Workers.**

**MOTION carried.**

**FIRE DEPARTMENT**

15. Request to Promote Employee #1174.

Chief Philips asked the Board to promote Sgt. Adam Munro to the position of Deputy Fire Chief.

**MOTION by KOEHS seconded by KRZEMINSKI to promote Sgt Adam Munro to Deputy Fire Chief effective March 14, 2013.**

**MOTION carried.**

Chief Philips also requested to wave the post employment offer requirements for Deputy Fire Chief Adam Munro.

**MOTION by GOODHUE seconded by FREITAS to wave post offer requirements for the Deputy Fire Chief.**

**MOTION carried.**

Additionally, the Chief requested for Human Resource Department be allowed to initiate the recruitment process for two (2) Full Time Sergeants.

**MOTION by KRZEMINSKI seconded by GOODHUE for the Human Resources Department to initiate the recruitment process to hire two (2) Full Time Sergeants.**

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, MARCH 13, 2013

**MOTION carried.**

**Public Comments, Non-Agenda Items Only** - (3 minute time limit)

**Thomas McEvoy addressed the Board regarding the Monday, March 11<sup>th</sup>, 2013 news paper article in reference to the SMART program.**

**BOARD COMMENTS**

16. Supervisor Comments

Supervisor Dunn recommended to the Board to authorize the Clerk as the center Chair Person to retain the services of Community Planning & Management LLC as the Architects for the review and implementation of the Town Center Code.

**MOTION by KOEHS and seconded by NEVERS to authorize the Clerk to retain the services of the Community Planning & Management LLC as the Architects for the review and implementation of the Town Center Code.**

**MOTION carried.**

17. Clerk Comments

Clerk Koehs recommended to the Board to receive and file the letter from Judge Maceroni and to authorize the 41A Building Committee to meet with Court Personal.

**MOTION by KOEHS seconded by BUCCI to authorize the 41A District Court Committee to meet with 41A District court personal, to received and File the letter from Judge Maceroni and for Trustee Krzeminski to be noted as an alternate on the 41A District Court Building Committee.**

18. Treasurer Comments

NONE

19. Trustees Comments

Trustee BUCCI spoke regarding the Block Grant informational sheet given to the Board by the Parks and Recreations Department Director Sal DiCaro. Trustee Bucci would like Director DiCaro to inquire why Grant money is being used on sidewalks in Center Line, and why are Center Line's sidewalks more important than our Senior's here in Macomb.

Trustee KRZEMINSKI spoke regarding the Finance Committees purpose was to look into the feasibility of bringing the 41A District Court to Macomb Township and would



MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, MARCH 13, 2013

have Plante Moran give estimates and actuals that's why the Finance Committee was in place.

**MOTION by BUCCI seconded by NEVERS to adjourn to Executive Session at 7:38 p.m.**

**Motion carried.**

*The Board returned to regular session at 8:25 p.m.*

**EXECUTIVE SESSION**

20. Bridgewater/Silveri Proposed Consent Judgment.

**MOTION by KOEHS seconded by BUCCI to authorize legal counsel to sign the consent judgment as presented.**

**MOTION carried.**

21. Property Acquisition.

**Information Only.**

22. Proposed Settlement of 2011 through 2012 MI Tax Tribunal Appeal; Docket No. 416140.

**MOTION by KOEHS seconded by FREITAS to authorize legal counsel to sign the consent judgment as presented.**

**MOTION carried.**

23. Proposed Settlement of 2011 through 2012 MI Tax Tribunal Appeal; Docket No. 412403.

**MOTION by KOEHS seconded by GOODHUE to authorize legal counsel to sign the consent judgment as presented.**

**MOTION carried.**

24. Proposed Settlement of 2011 through 2012 MI Tax Tribunal Appeal; Docket No. 414861.

**MOTION by KOEHS seconded by NEVERS to authorize legal counsel to sign the consent judgment as presented.**

**MOTION carried.**

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, MARCH 13, 2013

25. Fire Department Discipline Issue.

Chief Philips, based on the investigation and response to the charges contained in the Loudermill letter dated March 7, 2013, recommends the termination of Employee # 362, effective immediately.

**MOTION by KOEHS seconded by BUCCI, based on the investigation, charges and Employee's response to the charges in regards to the Loudermill letter dated March 7, 2013, to terminate Employee #362 effective immediately.**

**MOTION carried.**

**ADJOURNMENT**

**MOTION by BUCCI seconded by NEVERS to adjourn the Board of Trustees meeting at 8:30 p.m.**

**MOTION carried.**

Respectfully submitted,

---

Janet I. Dunn  
Macomb Township Supervisor

---

Michael D. Koehs, CMC  
Macomb Township Clerk